

PB# 73-59

Schwartz Sign

13-59 Schwartz Sign

Completed 8/8/73
Given to T.C. 8/9/73 D.B.
no charge



STOCK No. 752 $\frac{1}{3}$

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MADE IN U. S. A

cc PB
OK/WR P/B attn
SI.

NEW YORK STATE
DEPARTMENT OF TRANSPORTATION

Raymond T. Schuler, Commissioner



112 Dixon St., Newburgh, N.Y. 12550

July 24, 1973

Theodore F. Marsden, Supervisor
Town of New Windsor
555 Union Avenue
Newburgh, N.Y. 12550

Re: Advertizing Signs

Dear Ted:

I reviewed the request for an advertizing sign on Route 32 (S.H. 9033) for "Schwartz." Be advised that as long as the sign or any part of it does not encroach on the State's Right-of-Way, there is no violation and it is out of our control.

Very truly yours,
Lawrence L. Greer
Resident Engineer

A handwritten signature in cursive script that reads "Dominick Bello".

by: Dominick Bello
Asst. Resident Engineer

LLG/DB/hms



OFFICE OF THE PLANNING BOARD

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

July 25, 1973

Hon. Joseph Tallarico
Chairman
Town of New Windsor Planning Board
Town Hall
555 Union Avenue
New Windsor, New York

Re: Applications of Richard Schwartz
and Continental Manor Sub-division

Dear Mr. Tallarico:

It appears that there has been certain misunderstandings with regard to the above referenced matters.

With regard to the Schwartz matter, I understand that Mrs. Schwartz was under the impression that final approval of her application had been granted subject to review of the State Highway Department; This, of course, is not my understanding nor does it appear to be the Board's understanding judging from the minutes of our last meeting. This matter, as you know, was referred to me for consideration and opinion, and I rendered an opinion under date of July 24, 1973. This matter has also been referred to the Planning Board's engineer, Bernard Kessler, as may be evidenced by the minutes of our last meeting. If you have any questions, in this regard, please do not hesitate to contact me.

With regard to the application of Continental Manor, the proper procedure during the preliminary stages of consideration, is to submit the plans to the Orange County Planning Department for their consideration prior to the holding of a Public Hearing, which must be held within 45 days of the Planning Department's report to our Board. The plans were submitted to the Planning Department after our June 27th meeting and the Planning Department advised as to their findings by letter dated July 3, 1973. The public hearing scheduled for August 8, 1973 may now be held.

If you have any questions with regard to this matter, please advise.

Yours truly,

ANTHONY G. AUSTRIA, JR.
Attorney for Planning Board

AGA/sf
CC:
Hon. Theodore Marsden,
Supervisor, Town of New Windsor



OFFICE OF THE PLANNING BOARD

TOWN OF NEW WINDSOR

8/8/13
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

July 20, 1973

Hon. Joseph Tallarico, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York

Re: Application of Richard Schwartz

Dear Mr. Tallarico:

Please be advised that I have discussed the above named's application to erect a sign on the premises adjacent to his business establishment, with Mr. DeBella of the New York State Department of Transportation, and he advised that it will not be necessary for his department to review the matter so long as said sign does not encroach upon the State Highway.

Please be further advised, however, that I have also discussed the matter with Joel Shaw of the Orange County Planning Department. As a result of this conversation, it is my opinion that the plans for the proposed sign should be submitted to Bernard Kessler, engineer for the Planning Board in order that he review the plans in accordance with Sections 48-9 (8) and 48-18 of the Town Code. In the event that Mr. Kessler's review indicates the necessity of obtaining a variance, the matter should be referred to the Zoning Board of Appeals. In any event, however, a copy of a plan of the proposed sign should be sent to the Orange County Planning Department for its review.

If there are any questions, please do not hesitate to contact me.

Very truly yours,

ANTHONY G. AUSTRIA, JR.,
Attorney for Planning Board

AGA/sf

CC: Theodore Marsden, Supervisor
Orange County Planning Dept.
Howard Collett, Building Inspector
Mr. Richard Schwartz

BERNARD KESSLER, P.E.
Consulting Engineer
6 FLEETWOOD AVENUE
Spring Valley, N.Y. 10977

914 356-0217

8/8/73
8

August 6, 1973

Town of New Windsor Planning Board

Subject: Schwartz Sign - Route 32

Section 48-9B(8) refers to signs accessory to an establishment located on the same lot. There are three establishments on this lot and theoretically each one is eligible for a sign of 40 square foot area under subparagraph (d) of this section.

In my opinion, no violation of the ordinance will be made by approving the proposed combined sign.

I discussed this point with Mr. Shaw of the County Planning Board. He feels that while there may be a technical violation, the point arises that each tenant may apply for separate signs and not be refused as I stated in my own opinion. The County will not render an official opinion unless the matter is turned down and referred to them by the Zoning Board of Appeals. This will cause unnecessary delay in an application which is not a violation of the Zoning Ordinance.

Bernard Kessler

